

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT**

DAKOTA CLAY AHLGRIM,

Plaintiff,

v.

No. D-101-CV-2016-00126

**KEEFE GROUP, LLC;
(an Out-Of-State corporation doing business in New Mexico)**

Defendant.

NOTICE OF REMOVAL

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that the Defendant hereby removes this State court action described below.

1. On February 15, 2016, an action was commenced in the First Judicial District Court of Santa Fe County, New Mexico, entitled DAKOTA CLAY AHLGRIM, Plaintiff v. KEEFE GROUP, LLC; (an Out-Of-State corporation doing business in New Mexico). Case No. D-101-CV-2016-00126.

2. Defendant Keefe Group was served a copy of the Complaint on February 15, 2016.

3. Keefe Group (with proper legal name of Keefe Group Network, LLC) is a Missouri Corporation and subsidiary of Centric Group, LLC, which is also a Missouri Corporation with its principal place of business in Missouri.

4. A copy of the Complaint is attached hereto as Exhibit "A."

5. This action is a prisoner rights action brought against an Out-Of-State corporation doing business in New Mexico over which this Court has original jurisdiction under the basis of diversity of citizenship 28 U.S. Code § 1983 – Civil Rights. The amount in controversy being in excess of \$100,000, which was specifically plead by Plaintiff in his Complaint in Paragraphs III. 3. And 4. and in V. 12. and is one which may be removed to this Court by Defendant pursuant to the provisions of 28 U.S.C. §1441(b). Further, the underlying claims of the Plaintiff though couched in terms of commissary item pricing, availability, discrimination, and negligent

(tortious) conduct arise as claims of a prisoner in the custody of the State of New Mexico Department of Corrections and therefore arise and are determinate under the Eighth Amendment of the U.S. Constitution and thereby confer Federal Question jurisdiction.

6. The Defendant has been served with summons and petition by service from the First Judicial District Court Clerk.

7. This notice of Removal is timely; the New Mexico District Court has not yet taken any discretionary action in the case and the Notice of Removal has been filed in the U.S. District Court within the 30-day limitation of removals.

WHEREFORE, the Defendant in this matter prays that this action be removed to the United States District Court for the District of New Mexico.

DATED: March 11, 2016.

Respectfully submitted,

DOLAN & ASSOCIATES, PC

/s/ Daniel R. Dolan

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I hereby certify a true and correct copy of the forgoing Notice was filed electronically with the US District Court and served on the pro se Plaintiff Dakota Clay Ahlgrim via US Mail by Counsel this 11th day of March, 2016.

Dakota Clay Ahlgrim #71109
PO Box 1259
Penitentiary of New Mexico NIBF103
Santa Fe, NM 87504

/s/ Daniel R. Dolan

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